



NEW YORK STATE SENATOR

Brian Kavanagh

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BRIAN KAVANAGH November 5, 2021

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Legislation Sponsored by Kavanagh and Gallagher Would Prohibit Construction of New Gas-Powered Buildings After 2023 and Conversions After 2022

Brooklyn, NY — Senator Brian Kavanagh and Assemblymember Emily Gallagher were joined by colleagues and representatives of environmental organizations including the NY League of Conservation Voters, Sane Energy Project, Sierra Club, NY Public Interest Research Group, WE ACT for Environmental Justice, Environmental Advocates of New York, and Earthjustice to call for enactment of the "All-Electric Building Act." The bill ([S6843A](#)), sponsored by Senator Kavanagh and Assemblymember Gallagher, would prohibit the issuance of permits for the construction of new gas-powered buildings after 2023 and conversions of existing buildings after 2022, with narrow exceptions if there are truly no feasible alternatives for a particular project. "If we are serious about reducing the harmful effects of climate change, then we must take aggressive action to decrease greenhouse gas emissions and air pollution in all sectors of our society and economy, especially within the building sector," **said Senator Kavanagh, chair of the Senate Committee on Housing, Construction and Community Development.** "And we must stop adding infrastructure that requires fossil fuels."

“Whether it's a pipeline, a dirty energy plant or a gas-powered building, we simply cannot permit any new fossil fuel infrastructure and still reduce emissions enough to prevent a climate catastrophe,” **said Assemblymember Emily Gallagher.** “The path to a livable future is clean sources of electricity—not fracked gas—and we're going to require all new buildings to meet this basic standard. This legislation will make a profound impact.”

According to the U.S. Energy Information Administration, buildings account for 28% of the United States' energy use and greenhouse gas emissions. In addition, corporations seeking approval for infrastructure to transport and distribute natural gas in New York have emphasized that the rationale for creating such infrastructure is based in part on projected increased demand for natural gas from customers in new buildings. Requiring all-electric buildings for new construction will eliminate this rationale and help achieve the greenhouse gas emission reduction goals established in the New York State Climate Leadership and Community Protection Act (CLCPA) and further New York's record as a leader in combating climate change.

“We have no choice but to get more aggressive in tackling the effects of the climate crisis, and that means cutting off our reliance on fossil fuels to power our lives. This legislation will greatly reduce our use of natural gas and move us towards a more renewable future,” **said Senate Deputy Leader Michael Gianaris.**

“We are hurtling towards a climate catastrophe. As we've seen from this week's COP26 Glasgow climate summit, unless we reduce carbon emissions by 45% by 2030, we will ensure the irreversible and disastrous effects of climate change,” **said Senator Brad Hoylman.** “The All-Electric Building Act being introduced today helps address the climate crisis since buildings account for 28% of energy use and greenhouse gas emissions in the U.S. I'm proud to be a co-sponsor of this important legislation along with Senator Kavanagh and Assemblymember Gallagher and look forward to passing it in Albany.”

“To reach New York's ambitious climate goals, we need to significantly reduce building emissions, one of the largest sources of pollution in our state. This will require transitioning away from using fossil fuels for heating and cooling buildings and towards electrification. The New York League of Conservation Voters applauds Senator Kavanagh and Assemblymember Gallagher for introducing S6842, the all-electric building act. We look forward to working together to advance building decarbonization in New York,” **said Julie Tighe, President of the New York League of Conservation Voters.**

“It is imperative we pass this bill now to halt fracked gas use in new buildings across New York State,” **said Kim Fraczek, Director of Sane Energy Project.** “It is time to send a clear message to the fossil fuel industry and corporate utilities that they no longer have a free rein to profiteer off destroying our climate, injuring our communities, and trapping our workers in expanding 19th-century technology in the 21st century. It is past time to invest in a renewable, equitable future.”

“Total household electrification is our future, not only to meet our greenhouse gas emissions reduction goals, but to achieve a standard of living that is healthier, more cost effective and efficient. Renewable energy driven technology will soon heat and cool all our homes, dry our clothes, cook our food, charge our vehicles and power our lives,” **said Roger Downs, Conservation Director, Sierra Club Atlantic Chapter.** “But we cannot make this transition if the state of New York continues to facilitate and subsidize new fracked gas hook ups where we should be showcasing innovation and modernity. Sierra Club applauds Senator Kavanagh and his colleagues for drawing a clear line that ends this legacy of climate killing fuels in our homes.”

"New York's future is powered by renewable energy, and we must lay the groundwork for that transformation by eliminating the use of fossil fuels in new construction," **said Sonal Jessel, Director of Policy at WE ACT for Environmental Justice.** "As world leaders gather in Glasgow to discuss solutions to the climate crisis, we are proud to support Senator Kavanagh and Assemblymember Gallagher's All-Electric Building Act to reduce greenhouse gas emissions and pollution in New York State while ensuring energy becomes affordable for households who are left with high utility burden due to the legacies of environmental, housing, and energy injustice.”

“To effectively fight the climate crisis, every residential and commercial building in New York will need to electrify. This legislation will help jumpstart that process and will also lead to significant health and economic benefits. We appreciate Senator Kavanagh’s and Assemblymember Gallagher’s efforts to move us quickly away from burning dirty and harmful fossil-fuels to heat our home and businesses,” **said Conor Bambrick, Director of Climate Policy for Environmental Advocates NY.**

"It's time to turn off reliance on fossil fuels to power buildings. As the world focuses on Glasgow, New York should show that electrification – replacing fossil fuel power with alternatives like electric vehicles, heat pumps, and induction stoves that run on clean electricity – is a proven way to reduce pollution and decarbonize economic development. NYPIRG applauds Senator Kavanagh's and Assemblymember Gallagher's legislation to move New York in a 'green' direction," **said Blair Horner, Executive Director, NY Public Interest Research Group.**

“On the heels of several severe flooding events that have devastated communities in New York, legislation halting the use of fossil fuels for new construction is a common sense and necessary next step to fight the climate crisis and ensure New York meets its climate goals,” **said Meagan Burton, Senior Attorney with Earthjustice.** “Additionally, addressing fossil fuel use in buildings will protect the health of millions of New Yorkers - air pollution associated with the use of fossil fuels in buildings has contributed to premature deaths and disproportionately impacted communities of color. We commend Senator Kavanagh

and Assemblymember Gallagher for introducing this important legislation and look forward to working alongside them for passage.”

“It’s time to take decisive action to end the era of fossil fuels in New York State. That starts with a ban on using fracked gas in new construction. Food & Water Watch is proud to support Senator Kavanagh’s visionary legislation and urge the legislature to make this crucial legislation a priority as we head into session next year,” **said Alex Beauchamp, Northeast Region Director at Food & Water Watch.**

"As world leaders gather in Glasgow for international climate talks, we must act here at home to end our reliance on fossil fuels and preserve a livable planet. Burning fossil fuels in buildings for heat, hot water, and cooking accounts for one-third of New York's emissions. Fossil fuels cause one in five premature deaths worldwide, and New York State leads the country in indoor-air pollution related deaths due to burning fossil fuels in buildings. Requiring that new construction is all-electric and ensuring people can afford to switch away from fossil fuels are common sense actions we can take today to protect the health of our residents and the health of our climate." – **Avni Pravin, Deputy Policy Director at Alliance for a Green Economy.**

“Buildings represent roughly one quarter of greenhouse gas emissions. Senator Kavanagh's bill recognizes that we cannot continue to do things the old way when we’re seeing record numbers of climate impacts such as fires, storms, and other severe weather events around the nation," **said Rebecca Garrard, Legislative Director of Citizen Action of New York.** "We must continue to be a leader in addressing the climate crisis as the President heads to the Glasgow summit. We need policies which promote both quality housing and expand clean and renewable energy sources.”

“To meet NY state’s climate goals and to ensure that every New Yorker has access to a safe and healthy home, it is important that our buildings and homes are powered with clean, safe, and renewable electricity and that this transition does not sacrifice housing and energy affordability in the process. This bill is critical to advancing an equitable clean energy transition,” said **Ruth Ann Norton, President & CEO of Green & Healthy Homes Initiative.**

“In 2014 New York State became one of four states in the nation to ban the extractive and pernicious practice of fracking, citing public health as the main reason. Unfortunately, fracked gas still presents a clear and present danger to communities throughout the State from Brownsville, Brooklyn to Buffalo. We killed the process, now we need to kill the switch and stop gassing New Yorkers, especially those residing in disadvantaged, environmental justice communities. Senator Kavanagh and AB Gallagher’s common-sense bill will be a key variable for New York’s renewable energy equation. By banning fracked gas hookups for all new building construction, these two lawmakers demonstrate their solidarity with frontline communities and climate justice, as well as their commitment to upholding the landmark Climate

Leadership and Community Protection Act that mandates an expeditious reduction in greenhouse gas emissions and investment in electrification through renewable energy sources,” **said Anthony Karefa Rogers-Wright, Steering Committee Member of New York Renews and Director of Environmental Justice with New York Lawyers for the Public Interest.**

“In my day job, I run a non-profit devoted to education and outreach about heat pump technologies,” **said Lisa Marshall, Director of HeatSmart Tompkins**, a pioneering community non-profit devoted to building electrification. “We’ve helped hundreds of households navigate the challenging process of retrofitting their heating systems often at great expense to the homeowner. In a few short years, demand for heat pumps has skyrocketed dramatically in our region upstate. Because of our grassroots efforts, our county leads the state in heat pump adoption, but in order to ramp up the speed of heat pump adoption equitably and affordably, much more must be done at the policy level. The Kavanagh/Gallagher bill is a nation-leading bill that we should pass in 2022 and that other states should emulate.”

"The All-Electric Building Act will be a vital step to decarbonizing our future homes and businesses," **said Michaela Ciovacco, Campaign Coordinator of New Yorkers for Clean Power.** "The building sector is now the leading source of greenhouse gas emissions in NYS and gas is not only a hazard to the planet but to indoor air quality as well by exacerbating asthma and other respiratory ailments. With 2022 around the corner, we need to take bold steps towards New York's aggressive emissions reductions targets and improving public health."

"The Building Performance Contractors Association of New York State represents hundreds of contractors and companies in every county of the state. We support the energy efficiency initiatives that are our future, such as the All Electric Building Act of 2021. The State of NY must continue to put legislation in place that supports the policies it has already established through 2025. This is an increasing business and workforce issue that is critical," said a **spokesperson for the Building Performance Contractors Association of New York State.**

“I represent scores of dedicated mothers, grandmothers, and caregivers working tirelessly in communities across NY advocating for climate solutions and environmental justice,” **said Megan Dyer of Mothers Out Front NY.** “Getting fossil fuels out of buildings is a top priority for our members. Replacing fossil fuel heating and cooking with high efficiency heat pumps and induction stoves improves health, safety, and comfort for our children, particularly those from disadvantaged communities. With fossil fuel prices going up, the lower operating cost of heat pumps is a great benefit for the many households struggling to pay their bills. I am particularly excited to see whole neighborhoods, towns and eventually cities connected to district geothermal systems. There's simply no good reason a new building built today should be using fossil fuels - moms say no more!”

"Buildings are the largest source of emissions in Rochester, and the second largest source of emissions in the Genesee-Finger Lakes region," **said Kristen L. Van Hooreweghe, Director, Collaborative Action.** "The "all electric buildings act" is a necessary first step in ensuring we can quickly and equitably transition away from fossil fuels and meet the goals of the Climate Leadership and Community Protection Act. All New Yorkers deserve the right to clean, healthy, and affordable housing, and this legislation is an important step in that direction."

"Without the type of clear writing on the wall provided by this fantastic bill, it is not clear that any amount of cost cutting or education will move the construction industry away from climate wrecking fossil fuels," **said John Rath, NY-GEO Director of Operations.** "NY-GEO has seen cost competitive geothermal proposals rejected simply because the contractors were more comfortable and familiar with fossil fuel heating. Senator Kavanaugh's bill gives the strong market signal needed to get builders in sync with NY's climate goals."

Estimates show that emissions from building operations make up nearly 30% of global CO2 emissions, and with global building floor area expected to double over the next 40 years, this rate of pollution is sure to rise if these new buildings are using standard fossil fuel appliances. While the environmental benefits of the legislation are clear, the bill is also a crucial measure to improve public health and indoor air quality within the home. Studies have shown that indoor gas appliances greatly increase the emission of both Carbon Monoxide and Nitrogen Dioxide within the home, putting children at higher risk of developing asthma or related pulmonary illnesses. We also know that the elderly and low-income residents, often living in smaller apartments, are put at an even greater risk from having gas appliances in the home.

In 2019, New York State passed the nation's most aggressive clean energy and climate agenda through the Climate Leadership and Community Protection Act (CLCPA) (Chapter 106 of the Laws of 2019). The all-electric buildings act would take concrete action to fulfill the goals of the CLCPA, putting New York further on the path toward reaching net-zero greenhouse gas emissions. This legislation also ensures that the switch to all-electric buildings will be done equitably without impeding the affordability of electricity or the production of affordable housing.